



FEB 12 2003

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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#19

In re Application of :
Michael Bittner et al :
Serial No.: 09/766,273 : WITHDRAWAL OF ABANDONMENT
Filed: January 18, 2001 :
Attorney Docket No.: 5100-0707 :


This is in response to the petition under 37 CFR 1.181, filed November 15, 2002, requesting the withdrawal of abandonment of the application.

A review of the file history shows that the Office mailed an Office action to applicants on March 20, 2002, setting a one month time period for reply. On October 25, 2002, the Office mailed a Notice of Abandonment to applicants for failure to reply to the Office action. Applicants state that they never received the Office action and provide copies of mail logs and statements showing the Office action was not received. Upon receiving the Notice of Abandonment applicants contacted the examiner who provided a copy of the missing Office action - a requirement for a new sequence disk, the original having become unreadable probably due to mail irradiation. Applicants have supplied a new sequence disk with the petition which has been accepted. In view of the evidence presented of non-receipt the Notice of Abandonment is withdrawn and the application restored to pending status with the mailing of this decision.

Applicants' petition is **GRANTED**.

In view of applicants' reply and submission of a new sequence disk, the application will be forwarded to the examiner for further consideration.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


John Doll
Director, Technology Center 1600